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1. The reply filed on 4/5/2010 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): applicant did not clearly enumerate all of the components to be in the elected invention as required by the previous office action. Applicant must clearly list each and every ingredient to be in the elected composition and state which claims are elected and which claims are not elected. Applicant did elect olea europea extract and ionene polymers, etoxydiglycol and vitamin c as well as the serum form, but it is not clear what specific ionene polymer was chosen (pick one from claim 24), if the vitamins in claim 2 are elected or not, if the other ingredients other than the ones elected are being elected, confusion is with the other ingredients in claims 2, 8, 12, 16, 18, 42, 43, 46, 51 which were not elected by applicant but remain in claims which applicant states are elected claims. **Applicant needs to clearly state on the record that ingredients olea europea extract, a specific ionene polymer from claim 24, etoxydiglycol and vitamin c as well as the serum form are elected and those ingredients only, for example.** See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment.

EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael V. Meller whose telephone number is 571-272-0967. The examiner can normally be reached on Monday thru Thursday: 9:30am-6:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terry McKelvey can be reached on 571-272-0775. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael V. Meller
Primary Examiner
Art Unit 1655

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